

Town of Nolensville
Board of Mayor and Aldermen Meeting
Date: May 1, 2008, Time 7:00 p.m.
Nolensville Elementary School

Vice-Mayor Tommy Dugger opened the meeting at 7:00 p.m. Members present were Aldermen Jimmy Alexander, Joe Curtsinger, and Ken Thomas. Mayor Beth Lothers was absent. Staff present: Counsel Robert Notestine, Town Planner Henry Laird, and Recorder Cindy Lancaster. There were 23 citizens present.

Vice-Mayor Dugger asked that everyone keep Debbie Riddle's family in their prayers with her recent passing. He noted the positive impact that she had on the Planning Commission and further noted that a memorial service would be held at her home on Saturday. Mr. Willis Wells led the prayer and pledge.

Citizens Input:

Mr. Brad Batey, 4821 Powder Stream, stated there were no minutes on the Nolensville web site for the year 2008, although there were minutes for 2007. He inquired about Bent Creek and why this issue was not on the agenda. There was discussion on this item noting that the developer withdrew his request at the last Planning Commission meeting.

Mr. Gardiner Jones, Cromwell Court, stated that the Town of Nolensville does have the first three months of 2008 minutes on the web site. These are the minutes that have been approved by the Board.

Alderman Thomas made a motion to approve the regular meeting minutes of April 3, 2008, Alderman Alexander seconded. There were no additions or corrections and the minutes were approved unanimously.

Vice-Mayor Dugger made a motion to approve the treasurer's report for March, Alderman Thomas seconded the motion. The vote was taken and this report was approved unanimously.

COMMITTEE REPORTS:

Chair Rick Owens reported for the Planning Commission.

- Bent Creek final PUD Plan was deferred
- McFarlin Woods request was approved with conditions
- Burkitt Place final plat was deferred
- Haley Industrial final plat was approved
- Monthly bond report was approved

Alderman Curtsinger inquired on the thought processes of the Planning Commission for the decision on Bent Creek. Chairman Owens stated that the applicant requested the deferral. Counsel Notestine stated that the Developer had conferred with a lawyer and he was unable to attend that meeting. Counsel noted that there has been correspondence from their attorney.

Historic Commission Member/Alderman Ken Thomas reported for the Historic Commission.

- Noted that there was no meeting/report

Fire Chief Presley Hughes reported for the Nolensville Volunteer Fire Department.

- Asked that the minutes from last month reflect “tower” site and not “tire” site
- The Award’s Banquet was last month and the Chief thanked the Board members that attended
- A Pathfinder was donated to the Fire Department and will be used as a squad vehicle

Vice-Mayor Dugger congratulated Chief Hughes on his 35-year service award which he was recognized for at the Banquet.

Planner Henry Laird reported for the Planning Department.

- Interest from business developers is ongoing
- Questions from property owners in regards to zoning/rezoning continues
- Recently attended a TDOT public hearing on the widening of Nolensville Road. Planner Laird noted that he has a copy of a preliminary plan at Town Hall for public view.

Engineer Don Swartz submitted a written report for the Engineering Department in his absence.

Police Chief Paul Rigsby reported for the Police Department.

- Written statistics were distributed to Board
- Commended Chief Hughes on his service award
- Via a PowerPoint presentation, traffic data supplied by the new radar trailer was discussed

Alderman Thomas asked how the traffic within the Historic area compares to other communities. Chief Rigsby stated that he has not compared the statistics to any other cities, although he would do a comparison. Alderman Curtsinger asked what the Town planned to do about the motorist passing on the right side of the road. He asked if a sign could be placed that states “no passing”. Chief Rigsby said that the law is up to the interpretation by the Judge. Alderman Curtsinger asked if the Town could pass an ordinance that would not allow motorist to pass on the right hand side of the road. Vice-Mayor Dugger said that the Town Engineer could review this along with Chief Rigsby and then report back to the Board for a recommendation.

Mr. Bob Hayes reported for the Public Works Department.

- Replacement of signs and road patching is ongoing
- The Department would not be mowing up to fences, as in the past, due to the increase in gas prices

Alderman Curtsinger asked if the gas could be purchased through a co-op so that the Town does not pay taxes. Recorder Lancaster stated that currently taxes are not paid on fuel. When the bill is received, the tax is subtracted.

In Chair Suzie Lindsey's absence, Alderman Thomas reported for the Town Events Committee

- Work is ongoing for the 4th of July event
- Volunteers are needed for this event
- Noted that Suzie Lindsey is working hard on this event

Mr. Jason Patrick reported for the Economic Development Committee noting that this Committee has met on several occasions. He stated that allowing liquor by the glass is being reviewed for Nolensville. He noted that this Committee has discussed the impact both positive and negative. Mr. Patrick stated that it was the consensus of this Committee that the best way to determine this answer is to allow residents the opportunity to decide what they want. He stated that a requirement to have this placed on the November ballot is to obtain 10% of the voter signatures within the Nolensville Town limits that voted during the last Governors race. He noted that a petition has been drafted for the appropriate number (142) of signatures. The petition must be submitted to the Election Commission by September. Mr. Patrick reiterated that this will be for liquor by the glass and not a package store. He said that the Economic Development Committee realizes that this is a sensitive subject, but feels it should be for the public to decide.

Mr. Patrick stated that in the committee meetings the continued question was raised as to what type of businesses the citizens want to attract to Nolensville. This committee is spearheading a survey for the Nolensville Community. Dr. Tim Graeff, employed at Middle Tennessee State University, is an opinion and survey writer who resides in Nolensville. The Economic Development Committee will be conducting a phone survey on May 19th and 20th at MTSU with Dr. Graeff's guidance. Mr. Patrick noted that this appeared to be the best way to obtain the citizens' opinions. He noted that currently phone numbers, in addition to questions, are being compiled to perform the survey. Mr. Patrick stated that one of the questions on the survey would be addressing restaurants within Nolensville.

Mr. Jim Soloman, from the audience, asked why this group didn't address a package store. Mr. Patrick said that the Committee felt this should be done in "baby" steps. He added that the committee is not saying they do or do not want liquor by the glass, although they feel that it should be addressed. Mr. Patrick said they are not looking at this issue with emphasis on alcohol sales, but rather looking at the business aspect. Currently, certain restaurants will build in Davidson County that would have come over the line to Nolensville, if alcohol sales were allowed. Nolensville will lose the revenue that is generated by these restaurants. Nolensville is currently being faced with this situation.

Mr. Aubrey Short, 803 Rockwood Drive, asked if this Committee has thought about enticing the discount grocery store Aldi's into Nolensville. Mr. Patrick stated that the survey would address discount chains.

Mayor's Report:

- a. Other

There was no report due to Mayor Lothers absence.

Public hearing on Ordinance 08-04, an ordinance to amend the Zoning Map of Nolensville, to rezone property currently Estate Residential (ER) to Commercial Services (CS) with Commercial Corridor Overlay (CCO) property located at 7167 and 7171 Nolensville Road opened at 7:35. There was no comment and the hearing closed at 7:35.

Public hearing on Ordinance 08-05, an ordinance to adopt a budget for the Town of Nolensville for fiscal year July 1, 2008 to June 30, 2009 opened at 7:36. There was no comment and the hearing closed at 7:36.

Second reading of Ordinance 08-03, an ordinance to amend Chapter 13, of the Municipal Code in regards to overgrown lots in the Town Of Nolensville. Counsel Notestine addressed this ordinance noting that this was recommended by the Tennessee Attorneys Association and passed on first reading last month. Vice-Mayor Dugger noted that Alderman Curtsinger made an amendment to this ordinance last month. Alderman Alexander made a motion to approve this ordinance, Alderman Thomas seconded.

Alderman Curtsinger asked who bears the responsibility if someone drops trash on property. Counsel Notestine stated that this ordinance allows the Town recourse if a property owner does not clean up their property. Alderman Curtsinger inquired about properties being grandfathered. Counsel Notestine stated that a property owner would not be allowed to have trash on their property after this ordinance was passed. Alderman Curtsinger stated the he knew of about three different properties that this may effect adversely. He noted that the definition of “debris” is his concern. He asked if a property owner currently has a business at his home and the neighbors complain who will make the determination if this is “debris”.

Chief Rigsby stated that a code violation would be cited by the Codes Department. He stated that if the violator were cited they would go to Municipal Court and the Judge would make the final determination.

Counsel Notestine added that this is complaint based, although, if someone purchased property beside n existing hog farm or concrete plant they would not have any recourse. Vice-Mayor Dugger added that currently the Town could cite a violator; this ordinance allows a lien to be placed on the property if the town must clean the property.

Alderman Alexander added that he thinks Alderman Curtsinger is talking about the determination of what is junk and/or debris. Alderman Thomas asked who would enforce this ordinance. Vice-Mayor Dugger said it would be the Codes Department that would perform this task.

The vote was taken and this ordinance passed unanimously.

Second reading on Ordinance 08-04 an ordinance to amend the zoning map of the Town of Nolensville, to rezone property currently Estate Residential (ER) to Commercial Services (CS) with Commercial Corridor Overlay (CCO) property located at 7167 and 7171 Nolensville Road.

Counsel Notestine noted that this is second reading and the property owner is Mr. Fred Yazdian. He noted that a Representative with Delk and Associates was in attendance to answer any questions from the Board. Vice Mayor Dugger noted that this passed the Planning Commission

unanimously and goes with the overall plan of Nolensville. He added that last month Mr. Greg Goats, an adjacent property owner, was in attendance and stated that he was in favor of this zoning.

Alderman Alexander made a motion to approve this ordinance, Alderman Thomas seconded, and this ordinance passed unanimously.

Other:

Alderman Curtsinger stated that with the price of fuel increasing maybe the Town should entice some form of mass transit, whether it is through Metro Nashville, Franklin, or Brentwood. He noted that some people might be interested in this endeavor.

Alderman Alexander asked if that was a question on the survey or could it be added. Mr. Patrick stated that it could be reviewed for the survey.

The meeting adjourned at 7:54 p.m. by acclamation.

Respectfully submitted,

Approved,

Cindy Lancaster
Town Recorder

Beth Lothers
Mayor